

SCANNED

DATE: 07/30/04 IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

BY: SKY

FILED
CLERK OF COURT

2004 JUL 30 P 12:14

U.S. DISTRICT COURT
DISTRICT OF MASS

THOMAS S. MCCLOSKEY

&

KEVIN P. MCCLOKEY,

PLAINTIFFS,

VS.

CASE NO. 1:04-CV-11015-RCL

ROBERT S. MUELLER, III,
Director of the Federal Bureau of
Investigation; THE FEDERAL
BUREAU OF INVESTIGATION;
et al., DEFENDANTS.

MOTION FOR APPOINTMENT OF COUNSEL

COMES NOW, Gary Lee Sampson, defendant in the above caption matter and pursuant to §1915, request this Court to appoint counsel to represent him in this case, and in support for such discretionary appointment of counsel does offer the following:

1. The defendant is indigent and cannot afford to retain counsel.
2. The defendant has only an intermediate education.
3. The issues involved in this litigation are extraordinarily complex; and the defendant has no legal training.
4. The defendant, who is housed in the death row unit at the United States Penitentiary, Terre Haute, Ind. has extremely limited access to a law library because of his particular security status.
5. That appointment of counsel in this instance case would best serve the ends of justice.

WHEREFORE' for the foregoing reasons, the court should exercise its' discretionary authority under the applicable law and grant the defendant's request for appointment

of counsel.

July 27th, 2004

RESPECTFULLY SUBMITTED,



Gary Lee Sampson

defendant/pro se

DECLARATION UNDER PENALTY OF PERJURY

THE UNDERSIGNED, does attest under penalty of perjury, pursuant to 28 U.S.C. §1746 that the foregoing information is true and correct to the best of his knowledge.




Gary Lee Sampson

CERTIFICATE OF SERVICE

The undersigned, does certify that a true and correct copy of the foregoing Motion For Appointment of Counsel was mailed, postage prepaid to:

Carol L. Shea/Special Attorney
Chief, Civil Department
U.S. Attorney General's Office
P.O. Box 570
Burlington VT 05402-0570

on this 25 day of July, 2004.



Gary Lee Sampson #26976-038
United States Penitentiary
P.O. Box 33
Terre haute, Ind. 47808